To: Karen Schwinn/R9/USEPA/US@EPA;Tom

Hagler/R9/USEPA/US@EPA;CN=Stephanie

Skophammer/OU=R9/O=USEPA/C=US@EPA;Bruce Herbold/R9/USEPA/US@EPA;Tim

Vendlinski/R9/USEPA/US@EPA;Carolyn Yale/R9/USEPA/US@EPA;Tim

Vendlinski/R9/USEPA/US@EPA[]; om Hagler/R9/USEPA/US@EPA;CN=Stephanie

Skophammer/OU=R9/O=USEPA/C=US@EPA;Bruce Herbold/R9/USEPA/US@EPA;Tim

Vendlinski/R9/USEPA/US@EPA;Carolyn Yale/R9/USEPA/US@EPA;Tim

Vendlinski/R9/USEPA/US@EPA[]; N=Stephanie

Skophammer/OU=R9/O=USEPA/C=US@EPA;Bruce Herbold/R9/USEPA/US@EPA;Tim

Vendlinski/R9/USEPA/US@EPA;Carolyn Yale/R9/USEPA/US@EPA;Tim

Vendlinski/R9/USEPA/US@EPA[]; ruce Herbold/R9/USEPA/US@EPA;Tim

Vendlinski/R9/USEPA/US@EPA;Carolyn Yale/R9/USEPA/US@EPA;Tim

Vendlinski/R9/USEPA/US@EPA[]; im Vendlinski/R9/USEPA/US@EPA;Carolyn

Yale/R9/USEPA/US@EPA;Tim Vendlinski/R9/USEPA/US@EPA[]; arolyn

Yale/R9/USEPA/US@EPA;Tim Vendlinski/R9/USEPA/US@EPA[]; im

Vendlinski/R9/USEPA/US@EPA[]

Cc: []

From: CN=Erin Foresman/OU=R9/O=USEPA/C=US

**Sent:** Fri 1/20/2012 4:41:43 PM

Subject: Interesting item about BDCP WQS analysis

Hi All,

I am passing along something I learned yesterday about the way the folks analyzing the impacts of the proposed Delta Conveyance for the HCP and EIS are calculating compliance with D1640, specifically Delta Export/Inflow ratio to meet water quality objectives. The E/I ratio was calculated using exports estimated downstream of one of the proposed new intakes and the water diverted through that intake was not included in the export estimation. When E/I compliance is calculated this way, the operations scenarios appear to comply with the E/I objective. When estimated exports include exports through the upstream intake, apparently the E/I objective is violated.

I'm flagging this for group so we can keep track of this issue for the NEPA review and CWA 404 analysis. I believe NMFS and FWS are working on finding a solution with DWR. I came by this information through a discussion. I try to find a document or emails where the agencies explain how this happened. I'll send that along when I get it so we can all understand more clearly why this may have occurred.

## Erin Foresman

Environmental Scientist & Policy Coordinator, US EPA Region 9 C/O National Marine Fisheries Service 650 Capitol Mall Suite 5-100, Sacramento, CA 95814

Phone: (916) 930 3722

http://www.epa.gov/region9/water/watershed/sfbay-delta/index.html

I work a part time schedule (M 7:30a - 4:00p, T - F 7:30 - 2:00p)